

West Virginia Department of Environmental Protection
Division of Air Quality

Joe Manchin, III
Governor

Stephanie R. Timmermeyer
Cabinet Secretary

Permit to Operate



Pursuant to
Title V
of the Clean Air Act

Issued to:
Dominion Transmission, Inc
Lightburn
R30-04100013-2007

John A. Benedict
Director

Issued: March 29, 2007 • Effective: April 12, 2007
Expiration: March 29, 2012 • Renewal Application Due: September 29, 2011

Permit Number: **R30-04100013-2007(~~MM~~SM01)**

Permittee: **Dominion Transmission, Inc**

Facility Name: Lightburn Compressor Station

Mailing Address: 445 West Main Street

Clarksburg, WV 26301

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Facility Location: Jane Lew, Lewis County, West Virginia

Mailing Address: 6486 Old Mill Road, Jane Lew, WV 26378

Telephone Number: (304) 884-7845

Type of Business Entity: Corporation

Facility Description: Natural Gas Transmission Facility

SIC Codes: 4922

UTM Coordinates: 547.54 km Easting • 4331.11 km Northing • Zone 17

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.

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1.0 Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
001-01	EN01*	Reciprocating Engine/Integral Compressor; Clark TLA-6	1964	2000 HP	N/A
001-02	EN02*	Reciprocating Engine/Integral Compressor; Clark TLA-6	1964	2000 HP	N/A
001-03	EN03*	Reciprocating Engine/Integral Compressor; Clark TCV-12	1968	4000 HP	N/A
001-04	EN04*	Reciprocating Engine/Integral Compressor; Clark TCV-12	1970	4000 HP	N/A
001-05	EN05*	Reciprocating Engine/Integral Compressor; Clark TCV-12	1970	4000 HP	N/A
001-06	EN06* (6)	Reciprocating Engine/Integral Compressor; Dresser Rand TCVD-12	1993	6060 HP	N/A
001-07	EN07* (7)	Reciprocating Engine/Integral Compressor; Dresser Rand TCVD-12	1993	6060 HP	N/A
002-02	AUX02* (11)	Reciprocating Engine/Auxiliary Generator; Caterpillar	2002	1085 HP	N/A
004-01	DEHY01*	Dehydration Unit Still; Natco	1967	600 mmscf/day	Flare (DEHY1)
004-02	DEHY02*	Dehydration Unit Still; Natco	1994	600 mmscf/day	Flare (DEHY2)
005-01	BLR01*	Boiler; Cleaver Brooks CB786-250	1969	10.461 MMBtu/hr	N/A
005-02	BLR02* (14)	Boiler; Ajax WGF-6000 Bryan HE-RV550-W-FDG	1994 2009	10.5.5 MMBtu/hr	N/A
005-03	HTR01*	Boiler; Natco 4X6-27Y	1967	4.0 MMBtu/hr	N/A
005-04	RBR01*	Dehydration Reboiler; Natco 5GR-2000	1967	2.29 MMBtu/hr	N/A
005-05	RBR02* (13)	Dehydration Reboiler; Natco 5B32/18-24	1994	3.33 MMBtu/hr	N/A
0001	DEHY1*	Dehydration unit flare; 95% destruction efficiency	1967	613.5 acf/min	N/A
0002	DEHY2*	Dehydration unit flare; 95% destruction efficiency	1994	381.8 acf/min	N/A

* This equipment burns or combusts pipeline quality natural gas only.

2.0 General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.
- 2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

2.2. Acronyms

CAAA	Clean Air Act Amendments	NO_x	Nitrogen Oxides
CBI	Confidential Business Information	NSPS	New Source Performance Standards
CEM	Continuous Emission Monitor	PM	Particulate Matter
CES	Certified Emission Statement	PM₁₀	Particulate Matter less than 10µm in diameter
C.F.R. or CFR	Code of Federal Regulations	PM_{2.5}	<u>Particulate Matter less than 2.5 µm in diameter</u>
CO	Carbon Monoxide		
C.S.R. or CSR	Codes of State Rules		
DAQ	Division of Air Quality		
DEP	Department of Environmental Protection	pph	Pounds per Hour
		ppm	Parts per Million
FOIA	Freedom of Information Act	PSD	Prevention of Significant Deterioration
HAP	Hazardous Air Pollutant		
HON	Hazardous Organic NESHAP	psi	Pounds per Square Inch
HP	Horsepower	SIC	Standard Industrial Classification
lbs/hr or lb/hr	Pounds per Hour		
LDAR	Leak Detection and Repair	SIP	State Implementation Plan
M	Thousand	SO₂	Sulfur Dioxide
MACT	Maximum Achievable Control Technology	TAP	Toxic Air Pollutant
		TPY	Tons per Year
MM	Million	TRS	Total Reduced Sulfur
MMBtu/hr or mmbtu/hr	Million British Thermal Units per Hour	TSP	Total Suspended Particulate
MMCF/hr or mmcf/hr	Million Cubic Feet Burned per Hour	USEPA	United States Environmental Protection Agency
NA	Not Applicable	UTM	Universal Transverse Mercator
NAAQS	National Ambient Air Quality Standards	VEE	Visual Emissions Evaluation
NESHAPS	National Emissions Standards for Hazardous Air Pollutants	VOC	Volatile Organic Compounds

2.3. Permit Expiration and Renewal

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.
[45CSR§30-5.1.b.]
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.
[45CSR§30-4.1.a.3.]
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.
[45CSR§30-6.3.b.]
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.
[45CSR§30-6.3.c.]

2.4. Permit Actions

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[45CSR§30-5.1.f.3.]

2.5. Reopening for Cause

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
 - a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.
 - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
 - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.
[45CSR§30-6.4.]

2.7. Minor Permit Modifications

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.
[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.
[45CSR§30-6.5.b.]

2.9. Emissions Trading

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.
[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
 - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
 - c. The change shall not qualify for the permit shield.
 - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
 - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

[45CSR§30-5.8]

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

[45CSR§30-5.8.a.]

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

[45CSR§30-5.8.c.]

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

[45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.

- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
- b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
- c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

2.13. Duty to Comply

2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution Control equipment), practices, or operations regulated or required under the permit;
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
 - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

[45CSR§30-5.1.f.2.]

2.17. Emergency

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[45CSR§30-5.7.a.]

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

[45CSR§30-5.7.b.]

- 2.17.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

- 2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

[45CSR§30-5.7.d.]

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

[45CSR§30-5.2.a.]

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

2.19. Duty to Provide Information

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

[45CSR§30-4.2.]

2.21. Permit Shield

- 2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically

identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

[45CSR§30-5.6.a.]

2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

2.22. Credible Evidence

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

[45CSR§30-5.1.e.]

2.24. Property Rights

2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.

[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.

- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

[45CSR§30-5.1.a.2.]

3.0 Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40 C.F.R. §61.145(b) and 45CSR15]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.
[W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

[40 C.F.R. 82, Subpart F]

- 3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

[40 C.F.R. 68]

- 3.1.9. In order to demonstrate compliance with the annual emission limitation in Section 3.1.12, the permittee shall not operate the 1085 HP auxiliary power unit more than 1,340 hours per year.

[45CSR14, R14-0009~~DE~~, A.6] [AUX02]

- 3.1.10. Emissions from emission point 6 (EN06) shall not exceed the following:

Pollutant	Performance Specification (g/hp-hr)	Emission Rate	
		Lb/hr	TPY
Nitrogen Oxides (NO _x)	2.0	26.7	117.0
Carbon Monoxide (CO)	2.9	38.7	169.5
Volatile Organic Compounds (VOC)	0.82	11.0	48.2
Sulfur Dioxide (SO ₂)	0.002	0.027	0.12

[45CSR14, R14-0009~~DE~~, A.1] [EN06]

- 3.1.11. Emissions from emission point 7 (EN07) shall not exceed the following:

Pollutant	Performance Specification (g/hp-hr)	Emission Rate	
		Lb/hr	TPY
Nitrogen Oxides (NO _x)	2.0	26.7	117.0
Carbon Monoxide (CO)	2.9	38.7	169.5
Volatile Organic Compounds (VOC)	0.82	11.0	48.2
Sulfur Dioxide (SO ₂)	0.002	0.027	0.12

[45CSR14, R14-0009~~DE~~, A.2] [EN07]

- 3.1.12. Emissions from emission point 11 (AUX02) shall not exceed the following:

Pollutant	Performance Specification (g/hp-hr)	Emission Rate	
		Lb/hr	TPY
Nitrogen Oxides (NO _x)	2.0	4.78	3.21
Carbon Monoxide (CO)	1.5	3.59	2.40
Volatile Organic Compounds (VOC)	0.60	1.44	0.96
Formaldehyde		0.46	0.31
PM ₁₀		0.0746	0.05
SO ₂		0.0045	0.00

[45CSR14, R14-0009~~DE~~, A.3] [AUX02]

- 3.1.13. Pursuant to the letter dated February 26, 2007, all air displaced from the odorant tanks during filling shall be vented into the natural gas transmission pipeline.
[45CSR14, R14-0009-~~DE~~, A.7]
- 3.1.14. No person shall cause, suffer, allow or permit fugitive particulate matter to be discharged beyond the boundary lines of the property on which the discharge originates or at any public or residential location, which causes or contributes to statutory air pollution.
[45CSR§17-3.1; State Enforceable Only]

3.2. Monitoring Requirements

- 3.2.1. Monthly emissions of SO₂ from each engine (EN06 & EN07) shall be calculated by the fifteenth day of the subsequent month utilizing the equation(s) listed below:
SO₂ Emission Rate (tons/month): (6060 hp) x (0.002 gm/bhp-hr) x (Operating Hours/Month) x (1 lb / 453.6 gm) x (1 ton / 2000 lb).
A twelve month running total of emissions will be maintained to verify compliance with the annual emission limitations set forth in Sections 3.1.10 & 3.1.11 of this permit. Each month a new twelve month total shall be calculated using the previous twelve months data. Compliance with the hourly emission limits shall be demonstrated by converting to pounds and dividing the monthly calculated emissions by the number of operating hours in the previous month to obtain an hourly average. Records indicating the hourly and twelve month rolling total emissions shall be maintained on site for a period of no less than five (5) years.
[45CSR14, R14-0009-~~DE~~, B.65] [EN06, EN07]

- 3.2.2. The following equations shall be used to calculate emission rates to be reported annually:

NO_x Emission Rate: (1085 hp) x (2.0 gm/bhp-hr) x (Operating Hours/Month) x (1 lb / 453.6 gm) x (1 ton / 2000 lb) = tons/Month

CO Emission Rate: (1085 hp) x (1.5 gm/bhp-hr) x (Operating Hours/Month) x (1 lb / 453.6 gm) x (1 ton / 2000 lb) = tons/Month

VOC Emission Rate: (1085 hp) x (0.60 gm/bhp-hr) x (Operating Hours/Month) x (1 lb / 453.6 gm) x (1 ton / 2000 lb) = tons/Month

Formaldehyde Emission Rate: (1085 hp) x (0.1908582 gm/bhp-hr) x (Operating Hours/Month) x (1 lb / 453.6 gm) x (1 ton / 2000 lb) = tons/Month

Methanol Emission Rate: (1085 hp) x (0.0128755 gm/bhp-hr) x (Operating Hours/Month) x (1 lb / 453.6 gm) x (1 ton / 2000 lb) = tons/Month

Acrolein Emission Rate: (1085 hp) x (0.0176999 gm/bhp-hr) x (Operating Hours/Month) x (1 lb / 453.6 gm) x (1 ton / 2000 lb) = tons/Month

PM₁₀ Emission Rate: (1085 hp) x (7011 btu/bhp-hr) x (Operating Hours/Month) x (10 lb / mmcf) x (mmcf / 1020000000 btu) = pounds/Month

SO₂ Emission Rate: (1085 hp) x (7011 btu/bhp-hr) x (Operating Hours/Month) x (0.6 lb / mmcf) x (mmcf / 1020000000 btu) = pounds/Month

A twelve month running total of hours of operation by month will be maintained to verify compliance with the long term emission limitations. Each month a new twelve month total shall be calculated using the previous twelve months data. Compliance with the limitation on hours of operation per year shall be deemed to satisfy

the emission limitation requirements. Records indicating twelve month rolling total hours of operation by month shall be maintained on site for a period of no less than five (5) years.

[45CSR§30-5.1.c] [AUX02]

3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

[WV Code § 22-5-4(a)(15) and 45CSR13]

3.3.2. In order to determine compliance with the emission limitations set forth in Sections 3.1.10 & 3.1.11, the permittee shall conduct annual stack tests on emission points EN06 and EN07 using an emissions analyzer and a flame ionization detector to determine compliance with the hourly emission rates for NO_x, CO and VOC. Compliance tests of the 6060 horsepower compressor engines shall be conducted at 70% and 100% of the full torque setting. Test results and the dates of the tests shall be maintained on site for a period of no less than five (5) years. In addition, at least once every five years, the permittee shall conduct stack tests employing the

following methods to verify the accuracy of the emissions analyzer and flame ionization detector:

<u>Pollutant</u>	<u>USEPA Test Method *</u>
NO _x	7, 7A, 7C, 7D, or 7E
CO	10, 10B
VOC	25, 25A

*Test Methods located at 40 CFR 60 Appendix A
~~[45CSR14, R14-0009D-B.5-E, B.4]~~ [EN06, EN07]

3.4. Recordkeeping Requirements

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
- The date, place as defined in this permit and time of sampling or measurements;
 - The date(s) analyses were performed;
 - The company or entity that performed the analyses;
 - The analytical techniques or methods used;
 - The results of the analyses; and
 - The operating conditions existing at the time of sampling or measurement.
[45CSR§30-5.1.c.2.A.]
- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.
[45CSR§30-5.1.c.2.B.]
- 3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§30-5.1.c. State-Enforceable only.]
- 3.4.4. In order to determine compliance with the operational limitations set forth in Section 3.1.9, the permittee shall keep monthly records of the operation of the 1,085 HP auxiliary power unit. Such records shall be kept on site for a period of not less than five years and be made available to the Director or his duly authorized representative upon request.
[45CSR14, R14-0009~~DE~~, B.43] [AUX02]

3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

[45CSR§§30-4.4. and 5.1.c.3.D.]

- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

[45CSR§30-5.1.c.3.E.]

- 3.5.3. All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, mailed first class or by private carrier with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Phone: 304/926-0475
FAX: 304/926-0478

If to the US EPA:

Associate Director
Office of Enforcement and Permits Review
(3AP12)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.

[45CSR§30-8.]

- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.

[45CSR§30-5.3.e.]

- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.

[45CSR§30-5.1.c.3.A.]

- 3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

3.5.8. Deviations.

- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
 1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
 2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
 3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
 4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.

[45CSR§30-5.1.c.3.B.]

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.

[45CSR§30-4.3.h.1.B.]

3.6. Compliance Plan

N/A

3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.
- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met. N/A

3.8. Emergency Operating Scenario

For emergency situations which interrupt the critical supply of natural gas to the public, and which pose a life threatening circumstance to the customer, the permittee is allowed to temporarily replace failed engine(s) as long as all of the following conditions are met:

- a. The replacement engine(s) is only allowed to operate until repair of the failed engine(s) is complete, but under no circumstance may the replacement engine(s) operate in excess of sixty (60) days;
- b. Both the replacement engine(s) and the repaired failed engine(s) shall not operate at the same time with the exception of any necessary testing of the repaired engine(s) and this testing may not exceed five (5) hours;
- c. Potential hourly emissions from the replacement engine(s) are less than or equal to the potential hourly emissions from the engine(s) being replaced;
- d. Credible performance emission test data verifying the emission rates associated with the operation of the substitute engine shall be submitted to the Director within five (5) days;
- e. The permittee must provide written notification to the Director within five (5) days of the replacement. This notification must contain:
 - i. Information to support the claim of life threatening circumstances to justify applicability of this emergency provision;
 - ii. Identification of the engine(s) being temporarily replaced;
 - iii. The design parameters of the replacement engine(s) including, but not limited to, the design horsepower and emission factors;
 - iv. Projected duration of the replacement engine(s); and
 - v. The appropriate certification by a responsible official.

[45CSR§30-12.7]

4.0 Source-Specific Requirements [BLR01, BLR02, RBR01, RBR02, HTR01]

4.1. Limitations and Standards

- 4.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average.
[45CSR§2-3.1]
- 4.1.2. No person shall cause, suffer, allow or permit the discharge of particulate matter into the open air in excess of the following: BLR01 - 0.94 pounds per hour.
[45CSR§2-4.1(b)] [BLR01]
- 4.1.3. No person shall cause, suffer, allow or permit the discharge of sulfur dioxide into the open air in excess of the following: BLR01 - 33.5 pounds per hour.
[45CSR§10-3.1e] [BLR01]
- 4.1.4. Emissions from emission point 13 (RBR02) shall not exceed the following:

Pollutant	Performance Specification (lb/MMBtu)	Emission Rate	
		Lb/hr	TPY
Nitrogen Oxides (NOx)	0.08	0.27	1.17
Carbon Monoxide (CO)	0.15	0.50	2.19
Volatile Organic Compounds (VOC)	0.05	0.17	0.73
PM	0.003	0.01	0.044
Sulfur Dioxide (SO ₂)	0.0006	0.002	0.009

[45CSR14, R14-0009~~DE~~, A.4] [RBR02]

- 4.1.5. Emissions from emission point 14 (BLR02) shall not exceed the following:

Pollutant	Performance Specification (lb/MMBtu)	Emission Rate	
		Lb/hr	TPY
Nitrogen Oxides (NOx)	1.40 <u>0.10</u>	1.4 <u>0.55</u>	6.13 <u>2.41</u>
Carbon Monoxide (CO)	35 <u>0.084</u>	0.35 <u>0.46</u>	1.53 <u>2.02</u>
Volatile Organic Compounds (VOC)	2.8 <u>0.0055</u>	0.028 <u>0.03</u>	0.12 <u>0.13</u>
PM ⁽¹⁾	3 <u>0.0076</u>	0.03 <u>0.04</u>	0.13 <u>0.18</u>
<u>PM_{2.5}</u>	<u>0.0057</u>	<u>0.03</u>	<u>0.14</u>
Sulfur Dioxide (SO₂)	0.6	0.006	0.03

(1) Assumes all particulate matter emissions are 10 microns or less.

[45CSR14, R14-0009~~DE~~, A.5] [BLR02]

~~Note: Compliance with PM limit of 0.03 Lb/hr shall assure compliance with the particulate emission limit of 45CSR2; Compliance with SO₂ limit of 0.006 Lb/hr shall assure compliance with the sulfur dioxide emission limit of 45CSR10~~

4.2. Monitoring Requirements

N/A

4.3. Testing Requirements

N/A

4.4. Recordkeeping Requirements

- 4.4.1. The owner or operator of a fuel burning unit(s) shall maintain records of the operating schedule, and the quality and quantity of fuel burned in each fuel burning unit as specified below:

For fuel burning unit(s) which burn only pipeline quality natural gas, such records shall include, but not be limited to, the date and time of start-up and shutdown, and the quantity of fuel consumed on a monthly basis.
[45CSR§2-8.3.c] [45CSR§2A-7.1.a] [BLR01,~~BLR02~~]

4.5. Reporting Requirements

- 4.5.1. (b) The affected boilers and process heaters listed in paragraphs (b)(1) through (3) of this section are subject to only the initial notification requirements in 40 C.F.R § 63.9(b) (*i.e.*, they are not subject to the emission limits, work practice standards, performance testing, monitoring, SSMP, site-specific monitoring plans, recordkeeping and reporting requirements of 40 C.F.R 63 subpart DDDDD or any other requirements in subpart A of 40 C.F.R 63).

(1) Existing large and limited use gaseous fuel units.

(2) Existing large and limited use liquid fuel units.

(3) New or reconstructed small liquid fuel units that burn only gaseous fuels or distillate oil. New or reconstructed small liquid fuel boilers and process heaters that commence burning of any other type of liquid fuel must comply with all applicable requirements of 40 C.F.R 63 subpart DDDDD and subpart A of 40 C.F.R 63 upon startup of burning the other type of liquid fuel.

[40 C.F.R § 63.7506; 45CSR34] [BLR01]

4.6. Compliance Plan

N/A

5.0 Source-Specific Requirements [DEHY1, DEHY2, DEHY01, DEHY02]

5.1 Limitations and Standards

- 5.1.1. No person shall cause, suffer, allow or permit particulate matter to be discharged from any incinerator into the open air in excess of the quantity determined by use of the following formula:

Emissions (lb/hr) = F x Incinerator Capacity (tons/hr)

Where, the factor, F, is as indicated in Table I below:

Table I: Factor, F, for Determining Maximum Allowable Particulate Emissions

Incinerator Capacity: Factor F

A. Less than 15,000 lbs/hr 5.43

B. 15,000 lbs/hr or greater 2.72

Calculation for PM Emissions:

(5.43) x (613.5 cf/min) x (60 min/hr) x (0.03858 lb/cf) x (ton/2000 lb) = 3.8556 lb/hr (DEHY1)

(5.43) x (381.8 cf/min) x (60 min/hr) x (0.03858 lb/cf) x (ton/2000 lb) = 2.3995 lb/hr (DEHY 2)

[45CSR§6-4.1][DEHY1, DEHY2]

- 5.1.2. Emission of Visible Particulate Matter --No person shall cause, suffer, allow or permit emission of smoke into the atmosphere from any incinerator which is twenty (20%) percent opacity or greater.

[45CSR§6-4.3][DEHY1, DEHY2]

- 5.1.3. The provisions of Section 5.1.2 shall not apply to smoke which is less than forty (40%) percent opacity, for a period or periods aggregating no more than eight (8) minutes per start-up.

[45CSR§6-4.4][DEHY1, DEHY2]

- 5.1.4. No person shall cause, suffer, allow or permit the emission of particles of unburned or partially burned refuse or ash from any incinerator which are large enough to be individually distinguished in the open air.

[45CSR§6-4.5] [DEHY1, DEHY2]

- 5.1.5. Incinerators, including all associated equipment and grounds, shall be designed, operated and maintained so as to prevent the emission of objectionable odors.

[45CSR§6-4.6] [DEHY1, DEHY2]

- 5.1.6. No person shall cause, suffer, allow or permit the emission into the open air from any source operation an in-stack sulfur dioxide concentration exceeding 2,000 parts per million by volume from existing source operations, except as provided in 45CSR§10-4.1.a through 45CSR§10-4.1.e.

[45CSR§10-4.1]

- 5.1.7. No person shall cause, suffer, allow or permit the combustion of any refinery process gas stream or any other process gas stream that contains hydrogen sulfide in a concentration greater than 50 grains per 100 cubic feet of gas except in the case of a person operating in compliance with an emission control and mitigation plan approved by the Director and U. S. EPA. In certain cases very small units may be considered exempt from this requirement if, in the opinion of the Director, compliance would be economically unreasonable and if the contribution of the unit to the surrounding air quality could be considered negligible.

[45CSR§10-5.1]

- 5.1.8. This facility is subject to 40 C.F.R 63 Subpart HHH and consequently 40 C.F.R § 63.11. 40 C.F.R 63 Subpart HHH requirements are incorporated by reference. These requirements are, for informational purposes, included

in Appendix A & B

[45CSR34] [40 C.F.R 63 Subpart HHH] [DEHY01, DEHY02, DEHY1, DEHY2]

(Note: Initial notification was submitted by the company on June 1, 2000)

5.2. Monitoring Requirements

- 5.2.1. At a minimum of once per year, sample and analyze the inlet gas stream to the station utilizing gas chromatography for the presence of Sulfur. Proof of compliance with the 2000 ppm_v limit will be considered demonstrated if the gas chromatograph shows a total sulfur content of 1.2519 grains/100ft³ or less for DEHY1 and 0.7791 grains/100ft³ or less for DEHY2. Records shall be maintained on site or at a reasonably available location for a period of no less than five (5) years stating the date and time of analysis and the sulfur content of the gas sampled.

[45CSR§30-5.1.c] [DEHY1, DEHY2]

- 5.2.2. At a minimum of once per year, sample and analyze the inlet gas stream to the station utilizing gas chromatography for the presence of H₂S. Proof of compliance with the 50 grains/100ft³ limit will be considered demonstrated if the gas chromatograph shows a total H₂S content of 0.0736 grains/100ft³ or less for DEHY1 and 0.0458 grains/100 ft³ or less for DEHY2. Records shall be maintained on site or at a reasonably available location stating the date of analysis and the hydrogen sulfide content of the gas sampled. **[45CSR§30-5.1.c]**

[DEHY1, DEHY2]

- 5.2.3. Visual emission checks of each emission point specified shall be conducted monthly. If during these checks or at any other time visible emissions are observed at any emission point, compliance shall be determined by conducting tests in accordance with Method 9 of 40 C.F.R. 60, Appendix A. Records shall be maintained on site or at a reasonably available location stating the date and time of each visible emission check and whether visible emissions were observed. Visible emission checks shall not be required during start-ups, shut-downs and malfunctions. **[45CSR§30-5.1.c] [DEHY1, DEHY2]**

5.3. Testing Requirements

N/A

5.4. Recordkeeping Requirements

- 5.4.1. For the purpose of demonstrating compliance with 5.1.2 & 5.2.3, the permittee shall maintain records of all monitoring data documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, and the results of the check(s). The permittee shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6-10 mph NE wind) during the visual emission check(s). Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent.

[45CSR§30-5.1.c]

5.5. Reporting Requirements

- 5.5.1. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observations using 40CFR Part 60, Appendix A, Method 9 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

[45CSR§30-5.1.c]

5.6. Compliance Plan

N/A

Appendix A

The following reflect 40 C.F.R 63 Subpart HHH requirements as of June 5, 2006 and are subject to change.

(Note: In this section “this subpart” means 40 C.F.R.63 Subpart HHH)

(Note: In this section “this part” means 40 C.F.R. Part 63)

§ 63.1270 Applicability and designation of affected source.

Please refer to 40 C.F.R § 63.1270

§ 63.1271 Definitions.

Please refer to 40 C.F.R § 63.1271

§ 63.1272 Startups, shutdowns, and malfunctions.

- (a) The provisions set forth in this subpart shall apply at all times except during startups or shutdowns, during malfunctions, and during periods of non-operation of the affected sources (or specific portion thereof) resulting in cessation of the emissions to which this subpart applies. However, during the startup, shutdown, malfunction, or period of non-operation of one portion of an affected source, all emission points which can comply with the specific provisions to which they are subject must do so during the startup, shutdown, malfunction, or period of non-operation.
- (b) The owner or operator shall not shut down items of equipment that are required or utilized for compliance with the provisions of this subpart during times when emissions are being routed to such items of equipment, if the shutdown would contravene requirements of this subpart applicable to such items of equipment. This paragraph does not apply if the item of equipment is malfunctioning, or if the owner or operator must shut down the equipment to avoid damage due to a contemporaneous startup, shutdown, or malfunction of the affected source or a portion thereof.
- (c) During startups, shutdowns, and malfunctions when the requirements of this subpart do not apply pursuant to paragraphs (a) and (b) of this section, the owner or operator shall implement, to the extent reasonably available, measures to prevent or minimize excess emissions to the maximum extent practical. For purposes of this paragraph, the term “excess emissions” means emissions in excess of those that would have occurred if there were no startup, shutdown, or malfunction, and the owner or operator complied with the relevant provisions of this subpart. The measures to be taken shall be identified in the applicable startup, shutdown, and malfunction plan, and may include, but are not limited to, air pollution control technologies, recovery technologies, work practices, pollution prevention, monitoring, and/or changes in the manner of operation of the source. Back-up control devices are not required, but may be used if available.
- (d) Except as provided in paragraph (e) of this section, the owner or operator shall prepare a startup, shutdown, or malfunction plan as required in §63.6(e)(3), except that the plan is not required to be incorporated by reference into the source's title V permit as specified in §63.6(e)(3)(i). Instead, the owner or operator shall keep the plan on record as required by §63.6(e)(3)(v). The failure of the plan to adequately minimize emissions during the startup, shutdown, or malfunction does not shield an owner or operator from enforcement actions.
- (e) Owners or operators are exempt from the requirements to prepare a startup, shutdown, or malfunction plan for any facility where all of the affected sources meet the exemption criteria specified in §63.1274(d).

[64 FR 32648, June 17, 1999, as amended at 66 FR 34555, June 29, 2001]

§ 63.1273 [Reserved]

§ 63.1274 General standards.

- (a) Table 2 of this subpart specifies the provisions of subpart A (General Provisions) that apply and those that do not apply to owners and operators of affected sources subject to this subpart.
- (b) All reports required under this subpart shall be sent to the Administrator at the appropriate address listed in § 63.13. Reports may be submitted on electronic media.
- (c) Except as specified in paragraph (d) of this section, the owner or operator of an affected source (i.e., glycol dehydration unit) located at an existing or new major source of HAP emissions shall comply with the requirements in this subpart as follows:
 - (1) The control requirements for glycol dehydration unit process vents specified in § 63.1275;
 - (2) The monitoring requirements specified in § 63.1283, and
 - (3) The recordkeeping and reporting requirements specified in §§ 63.1284 and 63.1285.
- (d) N/A
- (e) Each owner or operator of a major HAP source subject to this subpart is required to apply for a part 70 or part 71 operating permit from the appropriate permitting authority. If the Administrator has approved a State operating permit program under part 70, the permit shall be obtained from the State authority. If a State operating permit program has not been approved, the owner or operator shall apply to the EPA Regional Office pursuant to part 71.
- (f) [Reserved]
- (g) In all cases where the provisions of this subpart require an owner or operator to repair leaks by a specified time after the leak is detected, it is a violation of this standard to fail to take action to repair the leak(s) within the specified time. If action is taken to repair the leak(s) within the specified time, failure of that action to successfully repair the leak(s) is not a violation of this standard. However, if the repairs are unsuccessful, a leak is detected and the owner or operator shall take further action as required by the applicable provisions of this subpart.

[64 FR 32648, June 17, 1999, as amended at 66 FR 34556, June 29, 2001]

§ 63.1275 Glycol dehydration unit process vent standards.

- (a) This section applies to each glycol dehydration unit subject to this subpart with an actual annual average natural gas flowrate equal to or greater than 283.0 thousand standard cubic meters per day and with actual average benzene glycol dehydration unit process vent emissions equal to or greater than 0.90 megagrams per year.
- (b) Except as provided in paragraph (c) of this section, an owner or operator of a glycol dehydration unit process vent shall comply with the requirements specified in paragraphs (b)(1) and (b)(2) of this section.
 - (1) For each glycol dehydration unit process vent, the owner or operator shall control air emissions by either paragraph (b)(1)(i) or (b)(1)(ii) of this section.
 - (i) The owner or operator shall connect the process vent to a control device or a combination of control devices through a closed-vent system. The closed-vent system shall be designed and operated in accordance with the requirements of § 63.1281(c). The control device(s) shall be designed and operated in accordance with the requirements of § 63.1281(d).
 - (ii) N/A
 - (2) One or more safety devices that vent directly to the atmosphere may be used on the air emission control equipment installed to comply with paragraph (b)(1) of this section.

(c) As an alternative to the requirements of paragraph (b) of this section, the owner or operator may comply with one of the following:

(1) N/A

(2) N/A

(3) Control of HAP emissions from a GCG separator (flash tank) vent is not required if the owner or operator demonstrates, to the Administrator's satisfaction, that total emissions to the atmosphere from the glycol dehydration unit process vent are reduced by one of the levels specified in paragraph (c)(3)(i) or (ii) through the installation and operation of controls as specified in paragraph (b)(1) of this section.

(i) HAP emissions are reduced by 95.0 percent or more.

(ii) Benzene emissions are reduced to a level less than 0.90 megagrams per year.

[64 FR 32648, June 17, 1999, as amended at 66 FR 34556, June 29, 2001]

§§ 63.1276-63.1280 [Reserved]

§ 63.1281 Control equipment requirements.

(a) This section applies to each closed-vent system and control device installed and operated by the owner or operator to control air emissions as required by the provisions of this subpart. Compliance with paragraphs (c) and (d) of this section will be determined by review of the records required by §63.1284, the reports required by §63.1285, by review of performance test results, and by inspections.

(b) [Reserved]

(c) *Closed-vent system requirements.*

(1) The closed-vent system shall route all gases, vapors, and fumes emitted from the material in a HAP emissions unit to a control device that meets the requirements specified in paragraph (d) of this section.

(2) The closed-vent system shall be designed and operated with no detectable emissions.

(3) If the closed-vent system contains one or more bypass devices that could be used to divert all or a portion of the gases, vapors, or fumes from entering the control device, the owner or operator shall meet the requirements specified in paragraphs (c)(3)(i) and (c)(3)(ii) of this section.

(i) For each bypass device, except as provided for in paragraph (c)(3)(ii) of this section, the owner or operator shall either:

(A) At the inlet to the bypass device that could divert the stream away from the control device to the atmosphere, properly install, calibrate, maintain, and operate a flow indicator that is capable of taking periodic readings and sounding an alarm when the bypass device is open such that the stream is being, or could be, diverted away from the control device to the atmosphere; or

(B) Secure the bypass device valve installed at the inlet to the bypass device in the non-diverting position using a car-seal or a lock-and-key type configuration.

(ii) Low leg drains, high point bleeds, analyzer vents, open-ended valves or lines, and safety devices are not subject to the requirements of paragraph (c)(3)(i) of this section.

(d) *Control device requirements.*

(1) The control device used to reduce HAP emissions in accordance with the standards of this subpart shall be one of

the control devices specified in paragraphs (d)(1)(i) through (iii) of this section.

(i) N/A

(ii) N/A

(iii) A **flare** that is designed and operated in accordance with the requirements of §63.11(b).

(2) [Reserved]

(3) The owner or operator shall demonstrate that a control device achieves the performance requirements of paragraph (d)(1) of this section by following the procedures specified in §63.1282(d).

(4) The owner or operator shall operate each control device in accordance with the requirements specified in paragraphs (d)(4)(i) and (ii) of this section.

(i) Each control device used to comply with this subpart shall be operating at all times when gases, vapors, and fumes are vented from the emissions unit or units through the closed-vent system to the control device, as required under §63.1275, except when maintenance or repair of a unit cannot be completed without a shutdown of the control device. An owner or operator may vent more than one unit to a control device used to comply with this subpart.

(ii) For each control device monitored in accordance with the requirements of §63.1283(d), the owner or operator shall demonstrate compliance according to the requirements of §63.1282(e), or (f) as applicable.

(5) N/A

(e) N/A

[64 FR 32648, June 17, 1999, as amended at 66 FR 34556, June 29, 2001; 68 FR 37357, June 23, 2003]

§ 63.1282 Test methods, compliance procedures, and compliance demonstrations.

Please refer to 40 C.F.R § 63.1282

§ 63.1283 Inspection and monitoring requirements.

(a) This section applies to an owner or operator using air emission controls in accordance with the requirements of §63.1275.

(b) [Reserved]

(c) *Closed-vent system inspection and monitoring requirements.*

(1) For each closed-vent system required to comply with this section, the owner or operator shall comply with the requirements of paragraphs (c)(2) through (7) of this section.

(2) Except as provided in paragraphs (c)(5) and (6) of this section, each closed-vent system shall be inspected according to the procedures and schedule specified in paragraphs (c)(2)(i) and (ii) of this section and each bypass device shall be inspected according to the procedures of (c)(2)(iii) of this section.

(i) For each closed-vent system joints, seams, or other connections that are permanently or semi-permanently sealed (e.g., a welded joint between two sections of hard piping or a bolted or gasketed ducting flange), the owner or operator shall:

(A) Conduct an initial inspection according to the procedures specified in §63.1282(b) to demonstrate that the closed-vent system operates with no detectable emissions. Inspection results shall be submitted with the Notification of Compliance Status Report as specified in §63.1285(d)(1) or (2).

- (B) Conduct annual visual inspections for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in piping; loose connections; or broken or missing caps or other closure devices. The owner or operator shall monitor a component or connection using the procedures specified in §63.1282(b) to demonstrate that it operates with no detectable emissions following any time the component or connection is repaired or replaced or the connection is unsealed. Inspection results shall be submitted in the Periodic Report as specified in §63.1285(e)(2)(iii).
- (ii) For closed-vent system components other than those specified in paragraph (c)(2)(i) of this section, the owner or operator shall:
 - (A) Conduct an initial inspection according to the procedures specified in §63.1282(b) to demonstrate that the closed-vent system operates with no detectable emissions. Inspection results shall be submitted with the Notification of Compliance Status Report as specified in §63.1285(d)(1) or (2).
 - (B) Conduct annual inspections according to the procedures specified in §63.1282(b) to demonstrate that the components or connections operate with no detectable emissions. Inspection results shall be submitted in the Periodic Report as specified in §63.1285(e)(2)(iii).
 - (C) Conduct annual visual inspections for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in ductwork; loose connections; or broken or missing caps or other closure devices. Inspection results shall be submitted in the Periodic Report as specified in §63.1285(e)(2)(iii).
- (iii) For each bypass device, except as provided for in §63.1281(c)(3)(ii), the owner or operator shall either:
 - (A) At the inlet to the bypass device that could divert the steam away from the control device to the atmosphere, set the flow indicator to take a reading at least once every 15 minutes; or
 - (B) If the bypass device valve installed at the inlet to the bypass device is secured in the non-diverting position using a car-seal or a lock-and-key type configuration, visually inspect the seal or closure mechanism at least once every month to verify that the valve is maintained in the non-diverting position and the vent stream is not diverted through the bypass device.
- (3) In the event that a leak or defect is detected, the owner or operator shall repair the leak or defect as soon as practicable, except as provided in paragraph (c)(4) of this section.
 - (i) A first attempt at repair shall be made no later than 5 calendar days after the leak is detected.
 - (ii) Repair shall be completed no later than 15 calendar days after the leak is detected.
- (4) Delay of repair of a closed-vent system for which leaks or defects have been detected is allowed if the repair is technically infeasible without a shutdown, as defined in §63.1271, or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment shall be completed by the end of the next shutdown.
- (5) Any parts of the closed-vent system or cover that are designated, as described in paragraphs (c)(5) (i) and (ii) of this section, as unsafe to inspect are exempt from the inspection requirements of paragraphs (c)(2) (i) and (ii) of this section if:
 - (i) The owner or operator determines that the equipment is unsafe to inspect because inspecting personnel would be exposed to an imminent or potential danger as a consequence of complying with paragraph (c)(2) (i) or (ii) of this section; and
 - (ii) The owner or operator has a written plan that requires inspection of the equipment as frequently as practicable during safe-to-inspect times.
- (6) Any parts of the closed-vent system or cover that are designated, as described in paragraphs (c)(6) (i) and (ii) of

this section, as difficult to inspect are exempt from the inspection requirements of paragraphs (c)(2) (i) and (ii) of this section if:

- (i) The owner or operator determines that the equipment cannot be inspected without elevating the inspecting personnel more than 2 meters above a support surface; and
- (ii) The owner or operator has a written plan that requires inspection of the equipment at least once every 5 years.

(7) Records shall be maintained as specified in §63.1284(b)(5) through (8).

(d) Control device monitoring requirements.

(1) For each control device except as provided for in paragraph (d)(2) of this section, the owner or operator shall install and operate a continuous parameter monitoring system in accordance with the requirements of paragraphs (d)(3) through (9) of this section that will allow a determination to be made whether the control device is achieving the applicable performance requirements of §63.1281(d) or (e)(3). Owners or operators that install and operate a **flare** in accordance with §63.1281(d)(1)(iii) are exempt from the requirements of paragraphs (d)(4) and (5) of this section. The continuous parameter monitoring system must meet the following specifications and requirements:

(i) Each continuous parameter monitoring system shall measure data values at least once every hour and record either:

(A) Each measured data value; or

(B) Each block average value for each 1-hour period or shorter periods calculated from all measured data values during each period. If values are measured more frequently than once per minute, a single value for each minute may be used to calculate the hourly (or shorter period) block average instead of all measured values.

(ii) The monitoring system must be installed, calibrated, operated, and maintained in accordance with the manufacturer's specifications or other written procedures that provide reasonable assurance that the monitoring equipment is operating properly.

(2) N/A

(3) The owner or operator shall install, calibrate, operate, and maintain a device equipped with a continuous recorder to measure the values of operating parameters appropriate for the control device as specified in either paragraph (d)(3)(i), (d)(3)(ii), or (d)(3)(iii) of this section.

(i) A continuous monitoring system that measures the following operating parameters as applicable:

(A) N/A

(B) N/A

(C) For a **flare**, a heat sensing monitoring device equipped with a continuous recorder that indicates the continuous ignition of the pilot flame.

(D) N/A

(E) N/A

(F) N/A

(G) N/A

- (ii) N/A
- (iii) N/A
- (4) N/A
- (5) N/A
- (6) An excursion for a given control device is determined to have occurred when the monitoring data or lack of monitoring data result in any one of the criteria specified in paragraphs (d)(6)(i) through (d)(6)(iv) of this section being met. When multiple operating parameters are monitored for the same control device and during the same operating day, and more than one of these operating parameters meets an excursion criterion specified in paragraphs (d)(6)(i) through (d)(6)(iv) of this section, then a single excursion is determined to have occurred for the control device for that operating day.
 - (i) An excursion occurs when the daily average value of a monitored operating parameter is less than the minimum operating parameter limit (or, if applicable, greater than the maximum operating parameter limit) established for the operating parameter in accordance with the requirements of paragraph (d)(5)(i) of this section.
 - (ii) An excursion occurs when average condenser efficiency calculated according to the requirements specified in §63.1282(f)(2)(iii) is less than 95.0 percent, as specified in §63.1282(f)(3).
 - (iii) An excursion occurs when the monitoring data are not available for at least 75 percent of the operating hours in a day.
 - (iv) If the closed-vent system contains one or more bypass devices that could be used to divert all or a portion of the gases, vapors, or fumes from entering the control device, an excursion occurs when:
 - (A) For each bypass line subject to §63.1281(c)(3)(i)(A) the flow indicator indicates that flow has been detected and that the stream has been diverted away from the control device to the atmosphere.
 - (B) For each bypass line subject to §63.1281(c)(3)(i)(B), if the seal or closure mechanism has been broken, the bypass line valve position has changed, the key for the lock-and-key type lock has been checked out, or the car-seal has broken.
- (7) For each excursion, except as provided for in paragraph (d)(8) of this section, the owner or operator shall be deemed to have failed to have applied control in a manner that achieves the required operating parameter limits. Failure to achieve the required operating parameter limits is a violation of this standard.
- (8) An excursion is not a violation of the operating parameter limit as specified in paragraphs (d)(8)(i) and (d)(8)(ii) of this section.
 - (i) An excursion does not count toward the number of excused excursions allowed under paragraph (d)(8)(ii) of this section when the excursion occurs during any one of the following periods:
 - (A) During a period of startup, shutdown, or malfunction when the affected facility is operated during such period in accordance with §63.6(e)(1); or
 - (B) During periods of non-operation of the unit or the process that is vented to the control device (resulting in cessation of HAP emissions to which the monitoring applies).
 - (ii) For each control device, or combinations of control devices, installed on the same HAP emissions unit, one excused excursion is allowed per semiannual period for any reason. The initial semiannual period is the 6-month reporting period addressed by the first Periodic Report submitted by the owner or operator in accordance with §63.1285(e) of this subpart.

- (9) Nothing in paragraphs (d)(1) through (d)(8) of this section shall be construed to allow or excuse a monitoring parameter excursion caused by any activity that violates other applicable provisions of this subpart.

[64 FR 32648, June 17, 1999, as amended at 66 FR 34557, June 29, 2001; 68 FR 37357, June 23, 2003; 71 FR 20459, Apr. 20, 2006]

§ 63.1284 Recordkeeping requirements.

- (a) The recordkeeping provisions of subpart A of this part, that apply and those that do not apply to owners and operators of facilities subject to this subpart are listed in Table 2 of this subpart.
- (b) Except as specified in paragraphs (c) and (d) of this section, each owner or operator of a facility subject to this subpart shall maintain the records specified in paragraphs (b)(1) through (b)(10) of this section:
- (1) The owner or operator of an affected source subject to the provisions of this subpart shall maintain files of all information (including all reports and notifications) required by this subpart. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report or period.
- (i) All applicable records shall be maintained in such a manner that they can be readily accessed.
- (ii) The most recent 12 months of records shall be retained on site or shall be accessible from a central location by computer or other means that provides access within 2 hours after a request.
- (iii) The remaining 4 years of records may be retained offsite.
- (iv) Records may be maintained in hard copy or computer-readable form including, but not limited to, on paper, microfilm, computer, floppy disk, magnetic tape, or microfiche.
- (2) Records specified in §63.10(b)(2);
- (3) Records specified in §63.10(c) for each monitoring system operated by the owner or operator in accordance with the requirements of §63.1283(d). Notwithstanding the previous sentence, monitoring data recorded during periods identified in paragraphs (b)(3)(i) through (iv) of this section shall not be included in any average or percent leak rate computed under this subpart. Records shall be kept of the times and durations of all such periods and any other periods during process or control device operation when monitors are not operating.
- (i) Monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments;
- (ii) Startup, shutdown, and malfunction events. During startup, shutdown and malfunction events, the owner or operator shall maintain records indicating whether or not the startup, shutdown, or malfunction plan, required under §63.1272(d), was followed.
- (iii) Periods of non-operation resulting in cessation of the emissions to which the monitoring applies; and
- (iv) Excursions due to invalid data as defined in §63.1283(d)(6)(iii).
- (4) Each owner or operator using a control device to comply with §63.1274 shall keep the following records up-to-date and readily accessible:
- (i) Continuous records of the equipment operating parameters specified to be monitored under §63.1283(d) or specified by the Administrator in accordance with §63.1283(d)(3)(iii). For **flares**, the hourly records and records of pilot flame outages specified in paragraph (e) of this section shall be maintained in place of continuous records.
- (ii) Records of the daily average value of each continuously monitored parameter for each operating day determined according to the procedures specified in §63.1283(d)(4). For **flares**, the records required in

paragraph (e) of this section.

- (iii) Hourly records of whether the flow indicator specified under §63.1281(c)(3)(i)(A) was operating and whether flow was detected at any time during the hour, as well as records of the times and durations of all periods when the vent stream is diverted from the control device or the monitor is not operating.
 - (iv) Where a seal or closure mechanism is used to comply with §63.1281(c)(3)(i)(B), hourly records of flow are not required. In such cases, the owner or operator shall record that the monthly visual inspection of the seals or closure mechanism has been done, and shall record the duration of all periods when the seal mechanism is broken, the bypass line valve position has changed, or the key for a lock-and-key type lock has been checked out, and records of any car-seal that has broken.
 - (5) Records identifying all parts of the closed-vent system that are designated as unsafe to inspect in accordance with §63.1283(c)(5), an explanation of why the equipment is unsafe to inspect, and the plan for inspecting the equipment.
 - (6) Records identifying all parts of the closed-vent system that are designated as difficult to inspect in accordance with §63.1283(c)(6), an explanation of why the equipment is difficult to inspect, and the plan for inspecting the equipment.
 - (7) For each inspection conducted in accordance with §63.1283(c), during which a leak or defect is detected, a record of the information specified in paragraphs (b)(7)(i) through (b)(7)(viii) of this section.
 - (i) The instrument identification numbers, operator name or initials, and identification of the equipment.
 - (ii) The date the leak or defect was detected and the date of the first attempt to repair the leak or defect.
 - (iii) Maximum instrument reading measured by the method specified in §63.1282(b) after the leak or defect is successfully repaired or determined to be nonrepairable.
 - (iv) “Repair delayed” and the reason for the delay if a leak or defect is not repaired within 15 calendar days after discovery of the leak or defect.
 - (v) The name, initials, or other form of identification of the owner or operator (or designee) whose decision it was that repair could not be effected without a shutdown.
 - (vi) The expected date of successful repair of the leak or defect if a leak or defect is not repaired within 15 calendar days.
 - (vii) Dates of shutdowns that occur while the equipment is unrepaired.
 - (viii) The date of successful repair of the leak or defect.
 - (8) For each inspection conducted in accordance with §63.1283(c) during which no leaks or defects are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks or defects were detected.
 - (9) Records of glycol dehydration unit baseline operations calculated as required under §63.1281(e)(1).
 - (10) Records required in §63.1281(e)(3)(i) documenting that the facility continues to operate under the conditions specified in §63.1281(e)(2).
- (c) N/A
- (d) N/A
- (e) Record the following when using a **flare** to comply with §63.1281(d):

- (1) **Flare** design (i.e., steam-assisted, air-assisted, or non-assisted);
- (2) All visible emission readings, heat content determinations, flowrate measurements, and exit velocity determinations made during the compliance determination required by §63.1282(d)(2); and
- (3) All hourly records and other recorded periods when the pilot flame is absent.

[64 FR 32648, June 17, 1999, as amended at 66 FR 34558, June 29, 2001]

§ 63.1285 Reporting requirements.

- (a) The reporting provisions of subpart A, of this part that apply and those that do not apply to owners and operators of facilities subject to this subpart are listed in Table 2 of this subpart.
 - (b) Each owner or operator of a facility subject to this subpart shall submit the information listed in paragraphs (b)(1) through (b)(6) of this section, except as provided in paragraph (b)(7) of this section.
 - (1) The initial notifications required for existing affected sources under §63.9(b)(2) shall be submitted by 1 year after an affected source becomes subject to the provisions of this subpart or by June 17, 2000, whichever is later. Affected sources that are major sources on or before June 17, 2000 and plan to be area sources by June 17, 2002 shall include in this notification a brief, nonbinding description of a schedule for the action(s) that are planned to achieve area source status.
 - (2) The date of the performance evaluation as specified in §63.8(e)(2), required only if the owner or operator is requested by the Administrator to conduct a performance evaluation for a continuous monitoring system. A separate notification of the performance evaluation is not required if it is included in the initial notification submitted in accordance with paragraph (b)(1) of this section.
 - (3) The planned date of a performance test at least 60 days before the test in accordance with §63.7(b). Unless requested by the Administrator, a site-specific test plan is not required by this subpart. If requested by the Administrator, the owner or operator must also submit the site-specific test plan required by §63.7(c) with the notification of the performance test. A separate notification of the performance test is not required if it is included in the initial notification submitted in accordance with paragraph (b)(1) of this section.
 - (4) A Notification of Compliance Status Report as described in paragraph (d) of this section;
 - (5) Periodic Reports as described in paragraph (e) of this section; and
 - (6) Startup, shutdown, and malfunction reports, as specified in §63.10(d)(5), shall be submitted as required. Separate startup, shutdown, or malfunction reports as described in §63.10(d)(5)(i) are not required if the information is included in the Periodic Report specified in paragraph (e) of this section.
 - (7) Each owner or operator of a glycol dehydration unit subject to this subpart that is exempt from the control requirements for glycol dehydration unit process vents in §63.1275, is exempt from all reporting requirements for major sources in this subpart for that unit.
- (c) [Reserved]
- (d) Each owner or operator of a source subject to this subpart shall submit a Notification of Compliance Status Report as required under §63.9(h) within 180 days after the compliance date specified in §63.1270(d). In addition to the information required under §63.9(h), the Notification of Compliance Status Report shall include the information specified in paragraphs (d)(1) through (10) of this section. This information may be submitted in an operating permit application, in an amendment to an operating permit application, in a separate submittal, or in any combination of the three. If all of the information required under this paragraph have been submitted at any time prior to 180 days after the applicable compliance dates specified in §63.1270(d), a separate Notification of Compliance Status Report is not required. If an owner or operator submits the information specified in paragraphs (d)(1) through (10) of this section at different times, and/or different submittals, subsequent submittals may refer to previous submittals instead

of duplicating and resubmitting the previously submitted information.

- (1) N/A
 - (2) If a closed-vent system and a **flare** are used to comply with §63.1274, the owner or operator shall submit performance test results including the information in paragraphs (d)(2)(i) and (ii) of this section.
 - (i) All visible emission readings, heat content determinations, flowrate measurements, and exit velocity determinations made during the compliance determination required by §63.1282(d)(2) of this subpart, and
 - (ii) A statement of whether a flame was present at the pilot light over the full period of the compliance determination.
 - (iii) The results of the closed-vent system initial inspections performed according to the requirements in §63.1283(c)(2)(i) and (ii).
 - (3) The owner or operator shall submit one complete test report for each test method used for a particular source.
 - (i) For additional tests performed using the same test method, the results specified in paragraph (d)(1)(ii) of this section shall be submitted, but a complete test report is not required.
 - (ii) A complete test report shall include a sampling site description, description of sampling and analysis procedures and any modifications to standard procedures, quality assurance procedures, record of operating conditions during the test, record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, documentation of calculations, and any other information required by the test method.
 - (4) N/A
 - (5) Results of any continuous monitoring system performance evaluations shall be included in the Notification of Compliance Status Report.
 - (6) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this subpart. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this subpart, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in this subpart.
 - (7) The owner or operator that elects to comply with the requirements of §63.1275(b)(1)(ii) shall submit the records required under §63.1284(c).
 - (8) The owner or operator shall submit an analysis demonstrating whether an affected source is a major source using the maximum throughput calculated according to §63.1270(a).
 - (9) The owner or operator shall submit a statement as to whether the source has complied with the requirements of this subpart.
 - (10) The owner or operator shall submit the analysis prepared under §63.1281(e)(2) to demonstrate that the conditions by which the facility will be operated to achieve an overall HAP emission reduction of 95.0 percent through process modifications or a combination of process modifications and one or more control devices.
- (e) *Periodic Reports.* An owner or operator shall prepare Periodic Reports in accordance with paragraphs (e)(1) and (2) of this section and submit them to the Administrator.
- (1) An owner or operator shall submit Periodic Reports semiannually beginning 60 calendar days after the end of the

applicable reporting period. The first report shall be submitted no later than 240 days after the date the Notification of Compliance Status Report is due and shall cover the 6-month period beginning on the date the Notification of Compliance Status Report is due.

- (2) The owner or operator shall include the information specified in paragraphs (e)(2)(i) through (ix) of this section, as applicable.
- (i) The information required under §63.10(e)(3). For the purposes of this subpart and the information required under §63.10(e)(3), excursions (as defined in §63.1283(d)(6)) shall be considered excess emissions.
- (ii) A description of all excursions as defined in §63.1283(d)(6) of this subpart that have occurred during the 6-month reporting period.
- (A) For each excursion caused when the daily average value of a monitored operating parameter is less than the minimum operating parameter limit (or, if applicable, greater than the maximum operating parameter limit), as specified in §63.1283(d)(6)(i), the report must include the daily average values of the monitored parameter, the applicable operating parameter limit, and the date and duration of the period that the excursion occurred.
- (B) For each excursion caused when the 30-day average condenser control efficiency is less than 95.0 percent, as specified in §63.1283(d)(6)(ii), the report must include the 30-day average values of the condenser control efficiency, and the date and duration of the period that the excursion occurred.
- (C) For each excursion caused by lack of monitoring data, as specified in §63.1283(d)(6)(iii), the report must include the date and duration of period when the monitoring data were not collected and the reason why the data were not collected.
- (iii) For each inspection conducted in accordance with §63.1283(c) during which a leak or defect is detected, the records specified in §63.1284(b)(7) must be included in the next Periodic Report.
- (iv) For each closed-vent system with a bypass line subject to §63.1281(c)(3)(i)(A), records required under §63.1284(b)(4)(iii) of all periods when the vent stream is diverted from the control device through a bypass line. For each closed-vent system with a bypass line subject to §63.1281(c)(3)(i)(B), records required under §63.1284(b)(4)(iv) of all periods in which the seal or closure mechanism is broken, the bypass valve position has changed, or the key to unlock the bypass line valve was checked out.
- (v) If an owner or operator elects to comply with §63.1275(b)(1)(ii), the records required under §63.1284(c)(3).
- (vi) The information in paragraphs (e)(2)(vi)(A) and (B) of this section shall be stated in the Periodic Report, when applicable.
- (A) No excursions.
- (B) No continuous monitoring system has been inoperative, out of control, repaired, or adjusted.
- (vii) Any change in compliance methods as specified in §63.1282(e).
- (viii) If the owner or operator elects to comply with §63.1275(c)(2), the records required under §63.1284(b)(10).
- (ix) For flares, the records specified in §63.1284(e).
- (f) *Notification of process change.* Whenever a process change is made, or a change in any of the information submitted in the Notification of Compliance Status Report, the owner or operator shall submit a report within 180 days after the process change is made or as a part of the next Periodic Report as required under paragraph (e) of this section, whichever is sooner. The report shall include:

- (1) A brief description of the process change;
- (2) A description of any modification to standard procedures or quality assurance procedures;
- (3) Revisions to any of the information reported in the original Notification of Compliance Status Report under paragraph (d) of this section; and
- (4) Information required by the Notification of Compliance Status Report under paragraph (d) of this section for changes involving the addition of processes or equipment.

[64 FR 32648, June 17, 1999, as amended at 66 FR 34558, June 29, 2001]

§ 63.1286 Implementation and enforcement.

- (a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or Tribal agency.
- (b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.
- (c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.
 - (1) Approval of alternatives to the requirements in §§63.1270, 63.1274 through 63.1275, 63.1281, and 63.1287.
 - (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart.
 - (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart.
 - (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.

[68 FR 37357, June 23, 2003]

Appendix B

The following reflect 40 C.F.R § 63.11(b) requirements as of June 6, 2006 and are subject to change.

§ 63.11 Control device requirements.

(b) Flares.

- (1) Owners or operators using flares to comply with the provisions of this part shall monitor these control devices to assure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators using flares shall monitor these control devices.
- (2) Flares shall be steam-assisted, air-assisted, or non-assisted.
- (3) Flares shall be operated at all times when emissions may be vented to them.
- (4) Flares shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. Test Method 22 in appendix A of part 60 of this chapter shall be used to determine the compliance of flares with the visible emission provisions of this part. The observation period is 2 hours and shall be used according to Method 22.
- (5) Flares shall be operated with a flame present at all times. The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
- (6) An owner/operator has the choice of adhering to the heat content specifications in paragraph (b)(6)(ii) of this section, and the maximum tip velocity specifications in paragraph (b)(7) or (b)(8) of this section, or adhering to the requirements in paragraph (b)(6)(i) of this section.

- (i) (A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume) or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity V_{\max} , as determined by the following equation:

$$V_{\max} = (X_{H_2} - K_1) * K_2$$

Where:

V_{\max} = Maximum permitted velocity, m/sec.

K_1 = Constant, 6.0 volume-percent hydrogen.

K_2 = Constant, 3.9(m/sec)/volume-percent hydrogen.

X_{H_2} = The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946–77. (Incorporated by reference as specified in §63.14).

- (B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (b)(7)(i) of this section.

- (ii) Flares shall be used only with the net heating value of the gas being combusted at 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted at 7.45 MJ/scm (200 Btu/scf) or greater if the flares is non-assisted. The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

Where:

H_T =Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C.

K =Constant=

$$1.740 \times 10^{-7} \left(\frac{1}{ppmv} \right) \left(\frac{g\text{-mole}}{scm} \right) \left(\frac{MJ}{kcal} \right)$$

where the standard temperature for (g-mole/scm) is 20 °C.

C_i =Concentration of sample component i in ppmv on a wet basis, as measured for organics by Test Method 18 and measured for hydrogen and carbon monoxide by American Society for Testing and Materials (ASTM) D1946–77 or 90 (Reapproved 1994) (incorporated by reference as specified in §63.14).

H_i =Net heat of combustion of sample component i, kcal/g-mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382–76 or 88 or D4809–95 (incorporated by reference as specified in §63.14) if published values are not available or cannot be calculated.

n =Number of sample components.

- (7) (i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (b)(7)(ii) and (b)(7)(iii) of this section. The actual exit velocity of a flare shall be determined by dividing by the volumetric flow rate of gas being combusted (in units of emission standard temperature and pressure), as determined by Test Method 2, 2A, 2C, or 2D in appendix A to 40 CFR part 60 of this chapter, as appropriate, by the unobstructed (free) cross-sectional area of the flare tip.

(ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec), are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

(iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, less than the velocity V_{max} , as determined by the method specified in this paragraph, but less than 122 m/sec (400 ft/sec) are allowed. The maximum permitted velocity, V_{max} , for flares complying with this paragraph shall be determined by the following equation:

$$\text{Log}_{10}(V_{max}) = (H_T + 28.8) / 31.7$$

Where:

V_{max} =Maximum permitted velocity, m/sec.

28.8=Constant.

31.7=Constant.

H_T =The net heating value as determined in paragraph (b)(6) of this section.

- (8) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity V_{\max} . The maximum permitted velocity, V_{\max} , for air-assisted flares shall be determined by the following equation:

$$V_{\max} = 8.71 = 0.708(H_T)$$

Where:

V_{\max} = Maximum permitted velocity, m/sec.

8.71 = Constant.

0.708 = Constant.

H_T = The net heating value as determined in paragraph (b)(6)(ii) of this section.

[59 FR 12430, Mar. 16, 1994, as amended at 63 FR 24444, May 4, 1998; 65 FR 62215, Oct. 17, 2000; 67 FR 16605, Apr. 5, 2002]